

BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14<sup>TH</sup> STREET, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF	)	
	)	DATE: September 9, 2003
Sylvia L. Jones	)	
Supervisory Computer Specialist	)	DOCKET NO.: 03F-058
Office of the Chief Technology Officer	)	
15006 Norway Place	)	
Bowie, Maryland 20716	)	

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of General Counsel following a determination by its Public Information Records Management Division, that pursuant to the D.C. Official Code §1-1106.02 (2001 Edition), Sylvia L. Jones, Supervisory Computer Specialist, Office of the Chief Technology Officer, failed to timely file, a Financial Disclosure Statement for calendar year 2002, on or before May 15, 2003 as required by D.C. Official Code §1-1106.02 and also failed to file on or before the OCF sanctioned extended filing date of June 19, 2003.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 7, 2003, OCF ordered Sylvia L. Jones (hereinafter respondent), to appear at a scheduled hearing on August 18, 2003 and show cause why she should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

**Summary of Evidence**

OCF alleges that respondent failed to timely file the statutorily required Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003.

On September 5, 2003, respondent submitted an affidavit stating that she has no knowledge of receipt of a Financial Disclosure Statement from OCF at her home address. Her first notice of the filing delinquency was the Notice of Hearing, Statement of Violations and Order of Appearance dated August 7, 2003. Respondent contacted OCF because she recalled filing a financial statement in May 2003. OCF could not confirm receipt of the FDS. Respondent subsequently contacted her agency's Chief of Staff, who was on vacation at the time of the call, and later confirmed the form she completed was a different financial statement (i.e., the Confidential Statement of Employment and Financial Interests), also due May 15<sup>th</sup> of each year. Respondent is a Management Supervisory Service employee. Respondent filed a Financial Disclosure Statement with OCF on September 5, 2003.

**Findings of Fact**

Having reviewed the allegations and the record herein, I find:

1. Respondent timely filed a Financial Disclosure Statement in May 2001 for calendar year 2000.
2. Respondent was required to file a Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003, in accordance with D.C. Official Code §1-1106.02.
3. OCF mailed notices to respondent's address of record at 15006 Norway Place, Bowie, Maryland 20716.
4. Respondent believed the Notice of Hearing, Statement of Violations and Order of Appearance dated August 7, 2003 was the first notice she received of a delinquent filing.
5. Respondent confused the filing of the OCF Financial Disclosure Statement with the confidential financial statement required to be filed by certain employees with their agencies.
6. Respondent filed a Financial Disclosure Statement with OCF for calendar year 2002 on September 5, 2003.
7. Respondent provided a credible explanation for the filing delinquency in that she believed that she did not receive a Financial Disclosure Statement to file with OCF, and confused the filing with another financial statement required of certain government employees.

8. Respondent is currently in compliance with the statute.

**Conclusions of Law**

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3DCMR §§3711.2(aa), 3711.2 and 3711.4 for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02, is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$2,000.00 for failing to timely file a Financial Disclosure Statement.
4. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent's explanation for failing to timely file constitutes good cause for suspension of the fine.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

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**Date**

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**Jean Scott Diggs**  
**Hearing Officer**

**Concurrence**

In view of the foregoing, I hereby concur with the Recommendation.

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**Date**

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**Kathy S. Williams**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the fine in this matter be hereby suspended.

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**Date**

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**Cecily E. Collier-Montgomery**  
**Director**

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing order.

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**Rose Rice**  
**Legal Assistant**

**NOTICE**

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days from the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14<sup>th</sup> Street, N.W., Washington, D.C. 20009.